

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
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Takayuki Mizuno et al.)	
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Serial No.:	10/536,649) Art Unit
) 2883
Filing Date:	May 27,2005)
)
Confirmation No.:	2202)
)
For:	INTERFERENCE OPTICAL SWITCH AND)
	VARIABLE OPTICAL ATTENUATOR)
)
Examiner:	Michael P. Mooney)

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant respectfully disagrees in part with the Examiner's Statement of Reasons for Allowance as set forth in the communication mailed on May 18, 2009.

The Applicant concurs with the Examiner's conclusion that the prior art does not suggest or render obvious the claimed invention. However, Applicant respectfully submits that the claimed invention as set forth in each of the allowed independent and dependent claims must be read as a whole, and not as a single feature or subcombination of features which represent less than the entirety of the claimed invention as a whole. While a particular feature or subcombination of features referred to by the Examiner in the Statement of Reasons for Allowance may represent a basis for distinguishing the claimed invention over the prior art, Applicant submits that this may not necessarily be the *sole* ground for distinguishing the claimed invention over the prior art of record. Accordingly, the Examiner's statement should, in Applicant's view, not be read as constituting or meaning that the invention can or should be reduced to a single "feature" of the invention or to a subcombination of features that is less than the entire invention claimed as a whole, nor that the single feature referenced by the Examiner or subcombination of features referenced by the Examiner in the Statement of Reasons for

Allowance is the only or sole grounds for distinguishing the invention over the prior art of record.

Dated this 5th day of August 2009.

Respectfully submitted,

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